

REMARKS

The present Amendment amends claims 20, 21, 30, 31, 36, 38, 46, 51 and 56 and leaves claims 22, 24, 26-29, 32-34, 39-45, 47-50, 52-55 and 57-60 unchanged.

Therefore, the present application has pending claims 19-22, 24 and 26-60.

Applicants respectfully request that the Examiner contact Applicants Attorney by telephone so as to schedule an interview to discuss the outstanding issues of the present application. It appears from the outstanding Office Action that the Examiner has a misunderstanding regarding the features of the present invention as recited in the claims and the teachings of the references of record.

Claims 27, 29-31, 36, 37, 42 and 43 stand rejected under 35 USC §103(a) as being unpatentable over Halpern (U.S. Patent No. 4,906,828) in view of Takeuchi (U.S. Patent No. 4,963,722) in view of Kolls (U.S. Patent No. 5,637,845) and further in view of the Los Angeles Times articles entitled "Transportation: Promoters Hope Advertising and Marketing Gimmicks will Steer Freeway Drivers to the Region's First Pay as You Go Highway" (LA article); claims 37, 47, 52 and 57 stand rejected under 35 USC §103(a) as being unpatentable over Halpern in view of Nagata (U.S. Patent No. 5,140,517), Takeuchi, Kolls, LA article and further in view of Gaumet (U.S. Patent No. 5,640,306); claims 19-21, 24, 28, 32-35, 39, 41, 44 and 45 stand rejected under 35 USC §103(a) as being unpatentable over Halpern in view of Nagata, Takeuchi, Kolls and further in view of the LA article; claims 22 and 40 stand rejected under 35 USC §103(a) as being unpatentable over Halpern in view of Nagata, Gaumet, Kolls and further in view of the LA article; and claims 26 and 38 stand rejected under 35 USC §103(a) as

being unpatentable over Halpern in view of Gaumet, Kolls and the LA article. These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now recited in the claims are not taught or suggested by Halpern, Takeuchi, Kolls, LA article, Gaumet or Nagata whether taken individually or in combination with each other as suggested by the Examiner. Accordingly, reconsideration and withdrawal of these rejections is respectfully requested.

As noted above, it appears that the Examiner misunderstands features of the present invention and the teachings of the references of record. Therefore an interview is necessary. It appears that the Examiner has confused the nature of a loan granted to the user of an IC card under particular terms and conditions and an account which is allowed to have a negative balance only up to a predetermined amount. An account which is allowed to carry a negative balance is not a loan as understood by those of ordinary skill in the art. Loans can only be granted to a particular person based upon preset terms and conditions agreeable to the person applying for the loan. These terms could, for example, be a particular amount or a particular payoff schedule. Further, the amount of a loan need not be paid back all at once. The loan is setup so as to allow of the person obtaining the loan to payback the loan over a preset period of time. An account which carries a negative balance must be paid in full at the time payment is made so as to bring the account into a positive or neutral state.

None of the references of record teach or suggest a storage which allows for the storage of information concerning the account which is used to make purchases and

information concerning a loan granted to the user of the IC card which can be accessed and used when a transaction amount exceeds the balance in the account.

Numerous arguments were presented regarding these distinguishing features of the present invention in the December 11, 2002 Amendment. The contents of the Remarks of the December 11, 2002 Amendment are incorporated herein by reference.

In the Office Action the Examiner alleges that Takeuchi discloses a loan storage. However, it appears that the Examiner has completely mis-described the teachings of Takeuchi. It appears that the Examiner also mis-described the teachings in the LA article regarding the allowance of a negative balance. Both Takeuchi and the LA article are completely deficient of the features of the present invention as now more clearly recited in the claims wherein electronic data of a loan including an amount of money loan to the user of the IC card is carried in a storage and where the processor writes the electronic data of the loan into the memory when the electronic data representing the money balance is less than an amount of money required for a transaction. Such features are clearly not taught or suggested by any of the references of record particularly Halpern, Takeuchi, Kolls, LA article, Nagata and Gaumet whether taken individually or in combination with each other as suggested by the Examiner. Accordingly, reconsideration and withdrawal of the above described rejections is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 19-22, 24 and 26-60.

In view of the foregoing amendments and remarks, Applicants submit that claims 19-22, 24 and 26-60 are in condition for allowance. Accordingly, early allowance of claims 19-22, 24 and 26-60 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (501.34746CX1).

Respectfully submitted,

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